

ARTICLE 86-03

RULES AND REGULATIONS FOR ADMISSION AND RESIDENCY AT THE NORTH DAKOTA VETERANS' HOME

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CHAPTER 86-03-01

ADMISSIONS - APPLICATION, ELIGIBILITY REQUIREMENTS, BOARD OF, DENIAL OF, ORIENTATION, READMISSION

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86-03-01-01. Application for admission - Form, content, approval.

1. Application must be made on forms provided by the veterans' home.
 - a. The financial statement is a part of the application and all information requested must be included in the application.
 - b. The applicant must be examined by a physician whose findings shall become a part of the application and recorded under the caption "Medical Certificate" of the application.
 - c. If a member of the board of admissions determines that insufficient medical, psychiatric, or financial information is available to properly process the application, a release of information form must be sent to the applicant to be signed and returned so that additional specific information may be obtained.
 - d. A certificate of residency must be signed by an elected or appointed county official of the county of residence at the time of application.

An individual seeking admission to the home does not lose legal residency of the county of residence at the time of admission to the home. If the applicant entered the service from North Dakota, and this state received credit for the applicant's service, the residency requirement shall be waived if the applicant is not a resident of this state at the time application is made.

2. The completed application for residency, together with the discharge or certificate of service from the last period of service in the armed forces, must be forwarded to the commandant who shall submit the application and discharge papers to the board of admissions for action. Upon approval, the applicant must be admitted for residency. The priorities for admission must be in accordance with North Dakota Century Code section 37-15-10.1.
3. An applicant whose application for admission has been approved, shall report to the home between eight a.m. and four p.m., Monday through Friday, holidays excluded. Special arrangements must be made if an applicant wishes to report at any other time. Applicants whose applications for admission have been approved, and who fail to report within thirty days from the date of acceptance, unless an extension has been approved, must be denied admission until another application has been submitted and approved.

History: Effective May 1, 1987.

General Authority: NDCC 28-32-02

Law Implemented: NDCC 37-15-03, 37-15-10, 37-15-10.1

86-03-01-02. Admission eligibility requirements.

1. All residents must voluntarily choose to reside at the home, as the home is not staffed or equipped to accept an individual committed by a court. An applicant must come within the definition of "domiciliary care" as defined in the North Dakota Century Code section 37-15-00.1 to be eligible for admission to the home. No applicant may be considered eligible for residency whose last period of service in the armed forces was terminated under dishonorable conditions.
2. No applicant may be admitted to the home who has been convicted of a felony or a crime involving moral turpitude, without producing sufficient evidence of subsequent good conduct and reformation of character so as to be satisfactory to the board of admissions. An applicant who has a history of chronic alcoholism or drug addiction may be accepted only if the problem is under control as determined by a home physician or addiction counselor and assurance is received from the applicant that prescribed medical advice shall be followed after admission to the home. Stipulations for admission shall be contained in the acceptance letter. An applicant who has a history of substance abuse shall

become involved in counseling programs, evaluation periods, or other stipulations as a requirement for admission.

3. An applicant who is eligible for Medicare must be enrolled in the program to assist the applicant in defraying the costs of hospitalization in the event that the applicant may become hospitalized while a resident of the home. Applicants who are not eligible for Medicare when admitted, but become eligible while a resident, shall enroll in the program.

History: Effective May 1, 1987.

General Authority: NDCC 28-32-02

Law Implemented: NDCC 37-15-00.1, 37-15-02, 37-15-03

86-03-01-03. Board of admissions - Composition, duties.

1. The board of admissions shall consist of a multidisciplinary team with each member having specific as well as general items of concern to review in the application. All applications shall be processed by the board of admissions for action. The board of admissions shall consist of five members which include: the commandant, or the assistant commandant in the commandant's absence, a home physician, addiction counselor, a licensed or registered nurse, and a social worker. The commandant, or the assistant commandant in the commandant's absence, shall act as chairman of the board of admissions.
2. All members of the board shall review the medical records and application file completely before making a decision. Each board member shall make their decision on the merits of the submitted application, or additional information received, and shall be responsible for their decision. Each board member, with the exception of the commandant or assistant commandant, shall record their vote on a preprinted form. A decision for disapproval of the application must be fully documented.
3. Each board member, or the assistant commandant in the commandant's absence, with the exception of the commandant, shall have one vote to accept or reject the application. If a tie vote occurs, or an application is disapproved, the commandant, or the assistant commandant in the commandant's absence, shall call a meeting of the board the reasons for denial shall be reviewed. The commandant or his designee shall vote to break the tie, request additional information if sufficient information is not available to make a decision, or write a letter of denial to the applicant.

4. Processing of an application shall be completed within ten working days of receipt; provided the application is completed properly, and sufficient medical information is available to make a determination.

History: Effective May 1, 1987.

General Authority: NDCC 28-32-02

Law Implemented: NDCC 37-15-03, 37-18.1-03(2)

86-03-01-04. Denial of admission - Appeal.

1. If an application is disapproved, the applicant must be notified promptly. Any personal papers such as a will or honorable discharge must be returned to the applicant. All other information remains the property of this state. The applicant must be notified, in writing, as to the reason or reasons for denial of admission to the home. The applicant must also be given notice of the right to appeal the decision, and that any appeal must be in writing and received by the commandant within thirty days of the notice of denial of admission. Any appeal of the denial must contain a statement of the grounds for the appeal.
2. Any notice of appeal received by the commandant must be reviewed and forwarded to the chairman of the administrative committee on veterans' affairs. All documents submitted with appellant's application for admission must also be forwarded to the said chairman. The administrative committee on veterans' affairs must give the appellant at least forty-five days' notice as to the time, date, and place of the hearing of the appeal. This notice must be sent by certified mail return receipt requested. If the appellant is not satisfied with the decision of the administrative committee on veterans' affairs, the appellant may appeal to a court under the procedures outlined in the Administrative Agencies Practice Act as set forth in North Dakota Century Code chapter 28-32.

History: Effective May 1, 1987.

General Authority: NDCC 28-32-02

Law Implemented: NDCC 28-32-05, 37-15-03, 37-15-10(3), 37-18.1-03(2)

86-03-01-05. Admission orientation.

1. All residents shall have a social intake completed upon admission. If any special requirements for admission were stipulated in the acceptance letter, they must be discussed upon admission. Any additional recommendations made by the counselor must also be discussed. Any followup required of a new resident must be in writing and signed by the new resident. All new residents must be interviewed by medical, administration, housekeeping, food service, and resident services personnel to determine a new resident's needs, review procedures, and answer any questions.

2. New residents shall receive a temporary room assignment, and after a week or two, a permanent assignment must be made. During a new resident's stay in the temporary room, a resident must be assigned to assist in familiarizing the new resident with the home. A new resident must be given a limited physical examination. Various staff members shall visit with a new resident to inform the resident of the services provided by the various departments and to learn more about the new resident. The staff shall provide the new resident with opportunities to become acquainted with the home's facilities, staff, and other residents. After the initial orientation, a new resident must be assigned to a room with a roommate or roommates the staff determines to be the most compatible with the new resident from the prospective roommates available. However, if a resident has a specific request for a room change, it must be directed to the staff person responsible for room assignments. If a new resident is married, every effort must be made to allow the new resident and spouse to share a room.

History: Effective May 1, 1987.

General Authority: NDCC 28-32-02

Law Implemented: NDCC 37-15-03, 37-18.1-03(2)

86-03-01-06. Readmission requirements. A former resident may be readmitted if a new application has been submitted and approved by the board of admissions and all money which may have been owed to the home by the former resident has been paid. If the behavior of a former resident has resulted in a disciplinary or medical discharge, the former resident may readmitted only if the board of admissions is satisfied that the conduct leading to such discharge will not be repeated.

History: Effective May 1, 1987.

General Authority: NDCC 28-32-02

Law Implemented: NDCC 37-15-03, 37-15-10(3), 37-18.1-03(2)